

Last week, in the early hours of Friday morning, the Senate passed a budget resolution that will pave the way for President Biden's American Rescue Plan. As promised, the Senate held an open, bipartisan, and vigorous amendment process. Several bipartisan amendments passed with overwhelming majorities and were added to the resolution. The fact that the debate went all night and only concluded at around 5:30 in the morning is a testament to the vigor of the amendment process, which, again, I note, was bipartisan. The first amendment, in fact—a very important one by the Senator from Arizona, Ms. SINEMA, and the Senator from Mississippi, Mr. WICKER—helped our restaurant industry, and it was bipartisan.

Now, our Senate committees have instructions to begin crafting legislation to rescue our country from COVID-19; to speed vaccination distribution; provide a lifeline to small businesses; help schools reopen safely; save the jobs of teachers, firefighters, and other public employees; and support every American who is struggling to put food on the table and keep a roof over their heads.

This important, historic work will give hundreds of millions of Americans the relief they need while getting our country back to normal as quickly as possible.

#### IMPEACHMENT

Mr. President, now, on impeachment, tomorrow, the second impeachment trial of Donald J. Trump will commence, only the fourth trial of a President or former President in American history and the first trial for any public official who has been impeached twice.

For the information of the Senate, the Republican leader and I, in consultation with both the House managers and former-President Trump's lawyers, have agreed to a bipartisan resolution to govern the structure and timing of the impending trial. Let me say that again. All parties have agreed to a structure that will ensure a fair and honest Senate impeachment trial of the former President.

Each side will have ample time to make their arguments: 16 hours over 2 days for the House managers, the same for the former President's counsel. If managers decide they want witnesses, there will be a vote on that, which is the option they requested in regard to witnesses.

The trial will also accommodate a request from the former President's counsel to pause the trial during the Sabbath. The trial will break on Friday afternoon before sundown and will not resume until Sunday afternoon.

As in previous trials, there will be equal time for Senators' questions and for closing arguments and an opportunity for the Senate to hold deliberations, if it so chooses.

And then we will vote on the Article of Impeachment. If the former President is convicted, we will proceed to a

vote on whether he is qualified to enjoy any office of honor, trust, or profit under the United States.

The structure we have agreed to is eminently fair. It will allow for the trial to achieve its purpose: truth and accountability. That is what trials are designed to do: to arrive at the truth of the matter and render a verdict. And following the despicable attack on January 6, there must be truth and accountability if we are going to move forward, heal, and bring our country together once again. Sweeping something as momentous as this under the rug brings no healing whatsoever. Let's be clear about that.

Now, as the trial begins, the forces aligned with the former President are preparing to argue that the trial itself is unconstitutional because Donald Trump is no longer in office, relying on a fringe legal theory that has been roundly debunked by constitutional scholars from across the political spectrum.

Just yesterday, another very prominent, conservative, Republican constitutional lawyer, Chuck Cooper, wrote in the Wall Street Journal that Republicans are dead wrong if they think an impeachment trial of a former President is unconstitutional.

Here is what he wrote:

Given that the Constitution permits the Senate to impose the penalty of permanent disqualification only on former officeholders, it defies logic to suggest that the Senate is prohibited from trying and convicting former officeholders. The Senators who supported Mr. Paul's motion should reconsider their view and judge the former president's misconduct on the merits.

That is no liberal. That is Chuck Cooper, a lawyer who represented House Republicans in a lawsuit against Speaker PELOSI, a former adviser to Senator CRUZ's Presidential campaign, driving a stake into the central argument we are going to hear from the former President's counsel.

Now, I understand why this fringe constitutional theory is being advanced. For the past few weeks, the political right has been searching for a safe harbor, a way to oppose the conviction of Donald Trump without passing judgment on his conduct; to avoid alienating the former President's supporters without condoning his, obviously, despicable, unpatriotic, undemocratic behavior. But the truth is no such safe harbor exists. The trial is clearly constitutional by every frame of analysis—by constitutional text, historical practice, Senate precedent, and basic common sense.

Presidents cannot simply resign to avoid accountability for an impeachable offense nor can they escape judgment by waiting until their final few weeks in office to betray our country. The impeachment powers assigned to the Congress by the Constitution cannot be defeated by a President who decides to run away or trashes our democracy on the way out the door. This trial will confirm that fact.

The merits of the case against the former President will be presented, and

the former President's counsel will mount a defense. Ultimately, Senators will decide on the one true question at stake in this trial: Is Donald Trump guilty of inciting a violent mob against the United States, a mob whose purpose was to interfere with the constitutional process of counting electoral votes and ensuring a peaceful transfer of power? And, if he is guilty, does someone who would commit such a high crime against his own country deserve to hold any office of honor or trust ever again?

Consistent with the solemn oath we have all taken to "do impartial justice according to the Constitution and laws" of the United States, that is the question every Senator must answer in this trial.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. DUCKWORTH). Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

Mr. MCCONNELL. Madam President, first, briefly, I am pleased that Leader SCHUMER and I were able to reach an agreement on a fair process and estimated timeline for the upcoming Senate trial.

This structure has been approved by both former President Trump's legal team and the House managers because it preserves due process and the rights of both sides. It will give Senators, as jurors, ample time to review the case and the arguments that each side will present.

#### REMEMBERING GEORGE SHULTZ

Madam President, on a completely different matter, on Saturday, we lost a great statesman and scholar who gave more than 80 of his 100 years to his country.

George Shultz's service began in the U.S. Marine Corps. From the beaches of Palau, he was among the Americans who helped retake the Pacific from Japan. Back home, he earned a Ph.D. in economics. He taught at MIT and would later helm the University of Chicago's Graduate Business School. But public service beckoned, and George Shultz began a decades-long run of ping-ponging prolifically between academia and top government posts.

The first of three Presidents who would benefit from his expert counsel, Dwight Eisenhower, hired him as a senior staff economist back in 1955. A decade and a half later, he was back, this time as President Nixon's Secretary of Labor, where he worked on desegregation and, later, as OMB Director. Then, at a pivotal moment for the U.S. and world economies, George Shultz was tapped to lead the Treasury Department. He fought inflation and worked